

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAYMOND DALE MCVAY,

Plaintiff,

v.

WILL ZEBELL, KING COUNTY
OFFICER JOHN DOE, JON OSLUND,
MAC SETTER, RANDAL WATTS,
DAVE MCEACHRAN, SWEDBARG,
CHERYL SPRANGE, BOB
FERGUSON, MARY BULLARD, TYRA
FAYMOUS, and JOHN DOE,

Defendants.

CASE NO. 2:23-cv-01065

ORDER TO SHOW CAUSE

The Court raises this matter sua sponte. With limited exceptions that do not apply here, plaintiffs must serve defendants with a summons and a copy of the complaint within 90 days of filing their complaint. Fed. R. Civ. P. 4(m). If proper service is not made within this time, the Court may on its own accord after notice to the plaintiff dismiss the action for failure to achieve timely service. *Id.*

Plaintiff Raymond Dale McVay filed his complaint on July 17, 2023. Dkt. No. 1. So the time for serving the summonses and complaint—90 days later—expired on October 15, 2023. The Court has reviewed the docket, and the clerk of court has yet

1 to issue a summons here. *See* LCR 4(a) (“It is the obligation of a party seeking the
2 issuance of a summons by the clerk to present the summons to the clerk in the
3 proper form, prepared for issuance, with sufficient copies for service.”). So it follows
4 that proof of service cannot otherwise be found in the record. *See* docket generally.

5 Therefore, it is ORDERED that McVay show cause within 14 days of the date
6 of this Order why this matter should not be dismissed without prejudice under Fed.
7 R. Civ. P. 4(m) for failure to effect timely service.

8 Dated this 17th day of October, 2023.

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Jamal N. Whitehead
11 United States District Judge
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